

## SPECIAL MEETING

November 27, 2006

The Special Meeting of the Annapolis City Council was held on November 27, 2006 in the Council Chamber. Mayor Moyer called the meeting to order at 7:05 p.m.

Present on Roll Call: Mayor Moyer, Alderwomen Hoyle, Aldermen Israel, Christman, Taylor, Cordle, Stankivic, Shropshire, Cohen

Staff Present: City Attorney Spencer

### PUBLIC HEARING

**O-35-06 For the purpose of authorizing the Mayor to appoint with City Council confirmation an alternate member of the Board of Appeals; of authorizing the Mayor to designate with City Council confirmation a temporary alternate for the Board of Appeals when the alternate member is absent; and matters generally relating to the Board of Appeals.**

No one from the general public spoke in favor of or in opposition to the ordinance.

- Mayor Moyer accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 10/5/06, and Memoranda from Jon Arason, Director, to the Planning Commission dated 9/27/06.
- Mayor Moyer declared the public hearing closed.

**O-42-06 For the purpose of increasing the categories that are protected from discrimination in housing to be consistent with current Federal and State protected categories; and matters generally relating to said protected categories.**

No one from the general public spoke in favor of or in opposition to the ordinance.

- Mayor Moyer declared the public hearing closed.

**O-46-06 For the purpose of establishing a program for billing healthcare insurers to help offset the cost to the City of providing emergency medical services (ambulance); and matters generally relating to billing for emergency medical services.**

#### **Spoke on the ordinance:**

Ed Waters, 133 Spa View Avenue, Annapolis, Maryland 21401

#### **Spoke in favor of the ordinance:**

C. Christopher Ledoux, 215 Severn Avenue, Annapolis, Maryland 21403

No one else from the general public spoke in favor of or in opposition to the ordinance.

- Mayor Moyer declared the public hearing closed.

**R-30-06 For the purpose of increasing fees paid by taxicab operators and owners; and matters generally relating to said fees.**

No one from the general public spoke in favor of or in opposition to the resolution.

- Mayor Moyer declared the public hearing closed.

- Alderman Stankivic requested 0-50-06 be referred the Environmental Matters Committee

### LEGISLATIVE ACTION

**O-30-05 For the purpose of creating an Eastport Gateway Conservation Overlay District to ensure the preservation of the Eastport view of the downtown historic waterfront and to support and promote development and redevelopment in a character that is attractive and welcoming to the Eastport community and to promote pedestrian access to the neighborhood; and matters generally relating to said district.**

- Alderman Cohen moved to adopt O-30-05 on second reading. Seconded.

The Rules and City Government and Planning Commission reported favorably on O-30-05 revised.

- Alderman Cohen moved to substitute O-30-05 revised. Seconded. CARRIED on voice vote.

The main motion as revised CARRIED on voice vote.

- Alderman Shropshire moved to adopt O-30-05 revised on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Aldermen Israel, Christman, Taylor, Cordle, Stankivic, Shropshire, Cohen

NAYS:

CARRIED: 9/0

**O-11-06 For the purpose of increasing for a multi-family dwelling in the BCE Zoning District the minimum square footage of a lot from 726 to 1,244 square feet; and matters generally relating to said BCE Zoning District.**

- Alderman Stankivic moved to adopt O-11-06 on second reading. Seconded.

The Rules and City Government Committee reported without recommendation and Planning Commission unfavorably on O-11-06.

- Alderman Cohen moved to amend O-11-06 as follows:

Amendment #1

On page 4, in the line for “Dwellings, multi-family” under the column heading “Height” after “65 feet” insert “except that the facade of buildings located on a property line adjacent to a right-of-way shall not exceed 35 feet in height. Building height may increase by one foot for each foot that a building or portion of a building is set back one foot from a property line adjacent to a right-of-way up to the maximum allowable height.” and add footnote “<sup>3</sup>”

On the bottom of page 4, add the following new footnote:

“<sup>3</sup> This provision may not apply to buildings located along new rights-of-way internal to and created by the development.” Seconded.

- Alderman Cohen moved to withdraw amendment #1. Seconded. CARRIED on voice vote.

The main motion CARRIED on voice vote.

- Alderman Stankivic moved to adopt O-11-06 on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Christman, Cordle, Stankivic, Shropshire, Cohen

NAYS: Mayor Moyer, Alderwomen Hoyle, Aldermen Israel, Taylor

CARRIED: 5/4

**O-38-06 For the purpose of authorizing a lease of certain municipal property located in the harbor and Dock Street areas to the Maritime Heritage Festival, Inc., a body corporate, from May 2 to May 7, 2007, subject to certain terms, provisions, and conditions, for the purpose of conducting a maritime festival; and all matters relating to said lease.**

- Alderman Taylor moved to adopt O-38-06 on second reading. Seconded.

The Economic Matters Committee reported favorably with amendments on O-38-06.

- Alderman Israel moved to amend O-38-06 as follows:

Amendment #1

“The lease between the City of Annapolis and the Maryland Maritime Heritage Festival, Inc. of certain municipal property for the period May 2 to 7, 2007, as incorporated as part of O-38-06, as introduced on September 11, 2006, is modified by the following Addendum:

1. The Lessee shall prepare and submit to the Director of Transportation a Transportation Plan with a Parking Element. The Plan shall address matters specified by the Director and shall be submitted no later than March 1, 2007. Except for public ways within the leased premises, the Plan shall not provide for the closure of any street or restrict parking to those associated with the festival. Moreover, in publicizing the festival, the lessee will direct all persons attending the event to park their vehicles at satellite lots and ride the shuttle to the site of the festival. Upon receipt of the Plan, the Director shall make copies available to relevant agencies and to interested parties who have requested a copy. To assure a better understanding and to coordinate implementation, the Director shall arrange for a meeting with relevant agencies and representatives of interested parties to review the Plan.

2. If the Mayor seeks or agrees to a modification of the lease pursuant to the provision in lines 11 to 15 on page 3 of the lease, the modification can not take effect until the text of the modification is made available to the City Council and the Council has had the opportunity to review the same.

3. Live music may not be performed in the evening after 7PM. The performance of live music is not subject to regulation of the Alcoholic Beverage Control Board except at the time and place which are the subject of a license issued by the Board.

4. Appropriate alternative slips shall be made available to M/V Miss Annie and Water Taxis operated by Watermark at all times during the term of the subject lease agreement.

This Addendum is declared to be part of the ratifying ordinance and shall prevail to the extent of any inconsistency over the original terms of the lease.” Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Shropshire moved to adopt O-38-06 amended on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Aldermen Israel, Christman, Taylor, Cordle, Stankivic, Shropshire, Cohen

NAYS:

CARRIED: 9/0

**R-50-06 For the purpose of authorizing the payment of a \$1,000 bonus for any City employee who achieves 25 years of civil service and who has not yet otherwise received a similar bonus under a Memorandum of Understanding with the City; and all matters relating to the payment of a longevity bonus.**

- Alderman Cohen moved to adopt R-50-06 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Aldermen Israel, Christman, Taylor, Cordle, Shropshire, Cohen

NAYS: Stankivic

CARRIED: 8/1

## **BUSINESS AND MISCELLANEOUS**

### **1. Appointments**

- Alderman Cohen moved to approve the Mayor's appointments & reappointments of the following individuals:

11/27/06 Board of Supervisors of Election ..... Don Lamb-Minor

11/13/06 Planning Commission ..... Robert H. Waldman

Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 8:11 p.m.

**Regina C. Watkins-Eldridge, CMC**  
**City Clerk**